



# California Fair Political Practices Commission

June 8, 1989

R. Wayne Watts  
Treasurer-Tax Collector  
County of Riverside  
4080 Lemon Street  
Riverside, CA 92501-3660

Re: Your Request for Advice  
Our File No. A-89-290

Dear Mr. Watts:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act.<sup>1/</sup>

## QUESTION

As an elected officeholder, are you required to amend your campaign disclosure filings for 1983 through 1988 to disclose contributions made from your personal funds?

## CONCLUSION

Contributions made from personal funds are expenditures and must be disclosed by elected officeholders. However, because the contributions listed in your letter do not appear to affect your eligibility to file the short form campaign statement (Form 470), no amendments appear to be necessary.

## FACTS

You were elected to the office of Treasurer and Tax Collector for the County of Riverside in June 1982. During the past five years, you have received no contributions and have made no expenditures in connection with your own candidacy for elective office, and you have been filing the short form campaign statement (Form 470) each year. However, you have made occasional small contributions out of personal funds to other candidates and

---

<sup>1/</sup>Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

committees. From 1983 through 1987, your personal contributions totaled less than \$100 each year. In 1988, you contributed a total of \$535.

ANALYSIS

The Act requires all elected officeholders to file semi-annual statements each year disclosing contributions received and expenditures made. (Section 84200.) During election periods, additional pre-election statements are required. (Section 84200.5.) The Commission has determined that contributions made from an elected officeholder's personal funds to other state or local candidates and committees are reportable "expenditures" as defined in Section 82025. (In re Lui, 10 FPPC Opinions 10, copy enclosed.)

However, an elected officeholder who receives less than \$1,000 in contributions and who makes less than \$1,000 in expenditures during a calendar year may file one short form campaign statement (Form 470) for that year.<sup>2/</sup> The Form 470 is a one-page form on which the officeholder verifies that less than \$1,000 has been or will be raised or spent for the entire calendar year. No itemization of receipts or expenditures, including contributions made from personal funds, is required. (Section 84206; Regulation 18406.)

According to your letter, the personal contributions you have listed constitute the total of your reportable campaign activity for the years 1983 through 1988. The total amount contributed was below \$500 each year for 1983 through 1985 and below \$1,000 each year for 1986 through 1988. Therefore, the contributions do not alter the fact that you were eligible to file Form 470 for each of those years, and no amendments are necessary.

Please do not hesitate to contact me at (916) 322-5662 if you have additional questions.

Sincerely,

Kathryn E. Donovan  
General Counsel

*Carla Wardlow*

By: Carla Wardlow  
Political Reform Consultant

Enclosure

---

<sup>2/</sup> Prior to 1986, the threshold for filing Form 470 was \$500, and Form 470 was required to be filed on both of the semi-annual filing deadlines rather than once each year.



TREASURER AND TAX COLLECTOR

COUNTY OF RIVERSIDE  
4080 LEMON STREET  
RIVERSIDE, CALIFORNIA 92501-3660  
TELEPHONE: (714) 787-2821

R. WAYNE WATTS  
TREASURER-TAX COLLECTOR

DARLENE F. HOLZ  
ASSISTANT TREASURER-TAX COLLECTOR

May 8, 1989

Fair Political Practices Commission  
428 "J" Street  
Sacramento, CA 95814

Dear Sir:

On April 28, 1989 I attended a Fair Political Practices Commission workshop here in Riverside during which the speaker explained recent amendments brought about by proposition 68 and 73 in the filing and reporting requirements of elected officials.

During my reading of the informational manual, it came to my attention that one of the documents relating to form 490 required that elected officials report contributions made to other candidates or ballot measure committees even when contributions were made solely from personal funds. This was the first time that I became aware of these FPPC reporting requirements since during the past five years I have not solicited nor received contributions towards my own candidacy for the elected office of County Treasurer-Tax Collector, and therefore have been qualified in filing the short form 470. As you know the short form 470 does not require the reporting of monetary contributions made from personal funds.

Upon learning of this requirement, I spoke with the speaker at your workshop and requested his advice on what action I should take in either complying with the reporting requirements or in receiving a waiver. He suggested that I write you.

Therefore, could you provide direction to the undersigned as to what action I should take. In helping you with your decision, I have recapped on the following attachment, a listing of my personal contributions to candidates and ballot measures for calendar years 1983 through 1988.

Your immediate advice in regards to this matter would be appreciated in order that I may be in full compliance with the law.

Sincerely,

R. Wayne Watts  
Treasurer-Tax Collector

RWW:va

R. Wayne Watts  
Treasurer-Tax Collector  
May 9, 1989

The following having been my political contributions made from personal funds since my election to office in June, 1982 and again in June, 1986.

<u>Date</u>	<u>Candidate or Ballot Measure</u>	<u>Amount</u>
May, 1983	Grover Trask for District Attorney	25.00
May, 1984	John Paul Stark for Congress	20.00
Aug., 1984	Hardin Hanks for Marshall	25.00
April, 1985	Grover Trask for District Attorney	20.00
Jan. 1986	Melba Dunlap for Supervisor	50.00
April, 1986	Tony Bellanca for Auditor-Controller	25.00
March, 1988	Jay Hanks for Municipal Court Judge	25.00
March, 1988	Measure A, County of Riverside	100.00
May, 1988	No Fault Ins., Prop. 104	10.00
May, 1988	Measure A, County of Riverside	<u>400.00</u>
	Total	700.00

Sincerely,



R. Wayne Watts  
Treasurer-Tax Collector



# California Fair Political Practices Commission

May 17, 1989

R. Wayne Watts  
Treasurer-Tax Collector  
County of Riverside  
4080 Lemon Street  
Riverside, CA 92501-3660

Re: Letter No. 89-290

Dear Mr. Watts:

Your letter requesting advice under the Political Reform Act was received on May 11, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

*Jeanne Pritchard*  
Jeanne Pritchard  
Chief Technical Assistance  
and Analysis Division

JP:plh